

ENVIRONMENTAL INVENTORY FOR THE

Alturas Indian Rancheria

4/17/17

(Updated 5/30/14)



Table of Contents

| | | |
|-------|--|--------------|
| I | Tribal Characteristics | Page 3 |
| II. | Tribal Government Characteristics | Page 4 - 7 |
| III. | Rancheria Environmental Characteristics | Page 8 - 12 |
| IV. | Air Quality | Page 13 |
| V. | Pesticides | Page 14 - 15 |
| VI. | Toxic Substances | Page 16 - 17 |
| VII. | Drinking Water | Page 18 - 23 |
| VIII. | Water Quality Standards | Page 24 - 27 |
| IX | Solid Waste | Page 28 - 29 |
| X | Hazardous Waste | Page 30 - 32 |
| XI. | Emergency Planning & Community Right to Know Act | Page 33 - 37 |
| XII. | Nuclear Waste..... | Page 38 |
| XIII. | Species requiring Special Protection | Page 39 |
| XIV. | Environmental Priorities..... | Page 39 |

Attachments:

“Information on Pesticides used by the National Wildlife Refuge that can have an impact on the Environmental Health of the Alturas Indian Rancheria”

“California Air Resources Board’s 2010 Monitoring Network Assessment Report”

ENVIRONMENTAL INVENTORY

(Part I Tribal Characteristics)

I. TRIBAL CHARACTERISTICS

1. Name of Reservation: Alturas Indian Rancheria
2. Number of Tribes occupying Reservation: One
3. Name(s) of Tribe(s) _____
4. Name & Address of Tribal governing body: Alturas Indian Rancheria Business Committee. P.O. Box 340, Alturas, CA 96101
5. Reservation was established by:
E. Other (please specify) Establishment as a home for landless Indians in 1924 in trust for the Alturas Indians. Tribal Constitution approved 1972
6. Date reservation was established: 1924
7. State(s) bordering reservation: California
8. County/counties bordering reservation: Modoc
9. City/cities bordering the reservation (population over 25,000): None
10. Name of city nearest the reservation (population over 25,000): None
11. Distance in miles: N/A
12. Population of reservation: 5
13. Land base (in square acres): 20
14. Land status (in square acres):
A. Tribally owned 20
B. Allotted _____
15. Please list all interstate and state highways through reservation: None

Environmental Inventory
(Part II Tribal Government Characteristics)

II. TRIBAL GOVERNMENT CHARACTERISTICS:

1. Name of Tribal governing body: **Alturas Indian Rancheria Business Committee**
2. Number of council members: **Two**
3. Title of Chief Executives:
 - A. Co-Chairman: **Wendy Del Rosa & Darren Rose**
 - B. Vice-Chairman: **Darren Rose**
 - C. Secretary-Treasurer: **Wendy Del Rosa**
4. The Chief Executive is:
 - A. Elected by tribal membership **X**
5. Date of last election: **April 7, 2014** Term expires: **April 7, 2016**
6. Regular Council meetings are held:
 - C. Monthly: **X**
7. Tribal officials are elected:
 - A. At large: **X**
8. Tribal Government enabling document:
 - A. **Constitution**
9. Date of adoption: **1972; amended 2004**
10. What functions are authorized by this document? (please check all that apply)
 - A. Executive **X**
 - B. Legislative **X**
 - C. Judicial **X**
 - D. Business Enterprise **X**
11. Is/are the Tribe(s) operating a Tribal court system:
 - A. Yes _____
 - B. No **X**
12. If yes, are tribal court officials: **NA**




13. What regulatory functions are performed by the Tribal Government? (please leave categories blank if Tribe is not currently implementing regulatory activities in subject area.)

| | Function is controlled by: | | | |
|------------------------------------|----------------------------|-----------|------------|------------|
| | Code | Ordinance | Regulation | Resolution |
| A. Land Use Planning | | | | |
| B. Water Resource Planning | | | | |
| C. Water Quality Control | | | | |
| D. Air Quality Control | | | | |
| E. Soil Conservation | | | | |
| F. Tax Collection & Licensing Fees | | | | |
| -- Severance Tax on Minerals | | | | |
| -- Income Tax | | | | |
| -- Licensing Fees on Business | | | | |
| -- Sales Tax | | | | |
| -- Other (please specify) | | | | |
| G. Business/Commercial Development | X | X | X | X |
| H. Zoning | | X | | |
| I. Hunting/Fishing/Game Management | | | | |
| J. Animal Control | | | | |
| K. Occupational Health & Safety | | | | |
| L. Solid Waste | | | | |
| M. Sanitation | | | | |
| N. Natural Resource Development | | | | |
| -- Timber | | | | |
| -- Fish | | | | |
| -- Minerals | | | | |
| * Energy | | | | |
| * Non-energy | | | | |

| | | | | |
|---|---|---|---|---|
| O. Underground and Above ground storage tanks. | | | | |
| P. Emergency Response(spills, explosions, fire) | | | | |
| O. Civil Law | X | X | X | X |
| P. Criminal Law | X | X | X | X |

14. Name(s) of Tribal office(s) which conduct environmental programs: **Alturas Indian Rancheria Tribal Environmental Department**
15. Names of staff employed by Tribe to work on environmental programs: **Creig Marcus**
16. Has the Tribe adopted administrative procedures yet?
A. Yes **X** B. No _____
17. Is the Tribe currently implementing an environmental protection plan?
A. Yes _____ B. No **X, in development**
18. Is there a committee within the Tribal government which addresses environmental issues:
A. Yes _____ B. No **X**

19. Does the Tribal Government have cooperative agreements with other governmental entities (i.e., state, local, Federal govt.) for the purpose of:

| | Yes | No | Name of Entity |
|--|-----|----|---|
| A. Air quality monitoring | | X | |
| B. Air quality standards enforcement | | X | |
| C. Water quality monitoring | X | |  ting by Modoc County |
| D. Water quality standards enforcement | | X | |
| E. Sanitation & wastewater treatment | | X | |
| F. Solid waste | | X | |
| G. Environmental rehabilitation/ reclamation | | X | |
| H. Soil analysis | | X | |
| I. Developing Tribal environmental standards | | X | |
| J. Enforcing Tribal environmental standards | | X | |
| K. Animal control | | X | |
| L. Protection of endangered species | | X | |
| M. Emergency preparedness/ evacuation | X | |  Modoc County General Plan |
| N. Underground/Aboveground Storage Tanks (enforcement, inspections, funding) | | X |  |
| O. Other (please specify) | | | |
| | | | |


ENVIRONMENTAL INVENTORY

(Part III Rancheria Environmental Characteristics)

III. RESERVATION ENVIRONMENTAL CHARACTERISTICS:

1. Climate
 - A. Average annual precipitation (in inches) 12.3"
 - Snowfall 30"
 - Rainfall 12.3"
 - B. Average annual temperature 69.3
 - C. Temperature extrem
 - High 88
 - Low -8
 - D. Average freeze free period (in days) 203
 - E. Average annual wind speed 0 – 17, rarely hits 25
 - F. Prevailing wind direction pattern primarily west; some south
 - G. Elevation (in feet) 4370
2. Reservation may be effected by: (check appropriate box)



| | Frequently | Occassionally | Rarely | Never |
|---|------------|---------------|--------|-------|
| A. Tornadoes | | | | X |
| B. Hurricanes | | | | X |
| C. Dust storms | | | | X |
| D. Extremely high winds | | | X | |
| E. Blizzards | | | X | |
| F. Fog | | X | | |
| G. Earthquakes | | | X | |
| H. Flooding | | | X | |
| -- Flash floods | | | X | |
| -- Snow melt | | X | | |
| I. Other (please specify) Numerous days under 32 degrees | | | | |

4. Summers are generally:
- A. Hot/Dry _____
 - B. Hot/Rainy _____
 - C. Hot/Humid _____
 - D. Mild/Dry **X** _____
 - E. Mild/Rainy _____
 - F. Mild/Humid _____
 - G. Cool/Dry _____
 - H. Cool/Rainy _____
 - I. Cool/Humid _____
5. Winters are generally:
- A. Cold/Dry _____
 - B. Cold/Rainy **X** _____
 - C. Cold/Humid _____
 - D. Mild/Dry _____
 - E. Mild/Rainy _____
 - F. Mild/Humid _____
 - G. Cool/Dry _____
 - H. Cool/Rainy _____
 - I. Cool/Humid _____
6. Highest percentage of annual precipitation falls in the: (check all that apply)
- A. Spring **X** B. Summer _____ C. Fall _____ D. Winter **X**
7. Land (please check all that apply):
- A. Mountains _____
 - B. Plateaus _____
 - C. Prairies **X** _____
 - D. Desert _____
 - E. Wooded _____
 - F. Forested _____
 - Coniferous _____
 - Deciduous _____
 - G. Coastal _____
 - H. Inland _____
8. Please identify mountain range(s) and elevations on reservation: **NA**
9. Water (specify acres or miles)
- C. Creeks/Streams **X; slough, vernal**
10. Please list all significant river(s) flowing through reservation: **None** 
11. Please list all significant lake(s)/reservoir(s) on reservation: **None**
12. Water Resources (acre/miles): Other **Ground water and vernal slough**
- A. Do Water resources cover areas outside the reservation boundaries?
(if so, please specify) **NA**
 - B. Specify water uses:
Drinking water supply **X**
Industrial/commercial uses **X**

Other (please specify) **Water grasslands and trees**

- C. From gross observation, characterize the overall quality of reservation waters (e.g., any water quality problems?) **Terrible odor and taste due to high sulphur.**
- D. Recent history of oil/hazardous material spills on land or reservation waters; give year, volume spilled and response action taken: **N/A**
13. Soil analysis and classification has been completed for reservation:
A. Yes _____ B. No **X**


14. Reservation Land Resource Usage:

| Land Use | Current use | Planned use |
|---|-------------|-------------|
| A. Agricultural Development | | X |
| B. Forestry/Timber | | |
| C. Mining | | |
| D. Industry/Manufacturing | | |
| E. Recreation  | | |
| F. Commercial Development | X | X |
| G. Grazing | | |
| H. Residential/Urban | | |
| I. Residential/Rural | X | X |
| J. Other (please specify)  | | |
| | | |
| | | |

15. Use of Lands Adjacent to the Reservation

| Land Use | Current use | Planned use |
|---|-------------|-------------|
| A. Agricultural Development | X | |
| B. Forestry/Timber | | |
| C. Mining | | |
| D. Industry/Manufacturing | | |
| E. Recreation | X | |
| F. Commercial Development | | |
| G. Grazing | | |
| H. Residential/Urban | | |
| I. Residential/Rural | | |
| J. Other (please specify) Wildlife refuge | X | |
| | | |
| | | |

15. Water Resource Usage:

| Use of Resource is being --- | Implemented | Planned |
|---|-------------|---------|
| A. Power Generation | | |
| B. Irrigation | X | X |
| C. Fisheries | | |
| D. Tourism/Recreation | X | X |
| E. Transportation | | |
| F. Other (please specify) Residential | X | X |
|  | | |
| | | |
| | | |

16. Near Reservation Environmental Concerns and Review.

There are no developments, studies, plans or other projects pending or in approval process that would affect the Rancheria. The Tribe is participating in the local drought relief plan, only one meeting has been conducted by Modoc County on this issue.

ENVIRONMENTAL INVENTORY

(Part IV Air Quality)

IV. AIR QUALITY

1. Is the Reservation located within (or partially within) an area currently designated nonattainment for a National Ambient Air Quality Standard? If so, for which pollutant(s): **Modoc County is not on the EPA or CARB list for non-attainment. Modoc and Lassen counties have always attained the federal and state ozone standards.**

2. Are you aware of any air monitoring stations on or near the Reservation? If so, where? Who's doing the monitoring and for which pollutant(s)? **None listed, data from the Modoc County Air Control District.**

3. What sources of air emissions, large or small, are located on the Reservation? **There is one small casino, 5,000 sq. feet; no wood burning takes place. Propane gas heat. Once a year trimmings from tree maintenance is burned when burning is permitted in the county.**
 - 3a. Are you aware of any air quality permits (tribal, federal or state) issued to any of these sources? By whom? **No**

4. What other air quality issues (i.e., mobile sources, air toxics, visibility, stratospheric ozone depletion, indoor air and radiation, etc.) need attention at the Reservation? **We have never tested for Radon gas; air quality in the casino due to smoking is poor.**

5. Is the Tribe interested in having their lands redesignated under the Clean Air Act as a Class I Area in order to enhance protection of their air quality resources? Class I areas are given a greater degree of environmental protection under the Clean Air Act. More strict pollution limits are placed on these areas and additional analysis are required when a source of air pollution is planned or modified within specified distances of a Class I area. **No current commercial or other threats to air quality are present in the area.**

ENVIRONMENTAL INVENTORY

PART V Pesticides Application Requirements)

1. Are pesticides being used on tribal lands? This would include not only agricultural uses but uses for controlling pests in structures, parks, playgrounds, roadways, etc. (See fact sheet "What is a pesticide as a reference." **Yes**

2. List the types of pesticides being used (herbicide, insecticide, antimicrobial, etc) and the active ingredients (glyphosate, Malathion, chlorine gas etc.)

| Type of Pesticide | Trade Name | Active Ingredients |
|-------------------|---|---|
| Insecticide | Raid Ant & Roach Killer (Institutional) | Permethrin; Pyrethrum; Technical piperonyl butoxide |
| Insecticide | Ortho Hornet & Wasp Killer 4 | Tetramethrin; Sumithrin (Phenothrin) |
| Insecticide | Hot Shot Flea Killer Plus Room & Pet Spray Plus with Pet Odor Neutralizer | Permethrin, mixed cis,trans (ANSI); Pyrethrins |
| Herbicide | Roundup MAX Herbicide | Potassium salt of glyphosate |
| | | |
| | | |
| | | |
| | | |

3. Are pesticides sold on tribal lands? **No**

4. What crops are being grown on tribal lands and what is the approximate acreage of each. Compile an INVENTORY of the pesticides currently used on each of the crops, include nursery crops and forest areas under timber production. **NA**

5. Are tribal lands used for livestock, grazing, dairy or poultry production? If so compile the same information for the pesticides used.

6. Who in general applies the pesticides (i.e. farmers, employees or commercial applicators)?

Tribal and casino employees.

7. List the applicators indicating whether they are certified or not when they got their

certification and who they are certified by (EPA, State, or Tribe). **No certified applicators.**

8. How many farm workers typically work on fields at your tribe during the growing season? **None** Are they seasonal or permanent employees? _____
9. List the special concerns you have regarding pesticide application on the reservation. **Need to develop Pesticide Ordinance; guidelines need to protect the applicator, residents, customers and the environment. Concern over the pesticides used on the land next to the Rancheria applied by the Wildlife Refuge, Farmers and Mosquito Vector Control for County. See attachment of products used on the Refuge.**
10. Have residents on or near the reservation complained of pesticide drift or odor during the previous growing season? If yes explain: **N/A**
13. Are there any non-agricultural pesticide applications occurring on tribal lands? Does the tribe foresee any increased construction that would require pesticide pre-treatment for pests like termites? **NO**
15. How are empty pesticide containers disposed? **Commercial waste disposal**
16. Does the tribe have an agreement with or allow the state or county agricultural agents on their lands to overview the use of pesticides? If yes what states or county agents? **No.**

ENVIRONMENTAL ASSESSMENT
(Part VI Toxic Substances Control)

VI. TOXIC SUBSTANCES CONTROL:

1. Identify any known or suspected toxic substances used on the reservation at this time:

| Category Toxic Substances | Estimated Amount | Location |
|---|-------------------------|---------------------------|
| a. Asbestos in schools and public and commercial buildings. (40 CFR 736) | 1 cubic yard | Outside historical house. |
| b. Polychlorinated byphenyls (PCBs). (40 CFR 761) | | |
| c. Industrial solvents | | |
| d. Asphalt, road sealants and surface tar. | | |
| e. EPCRA 313 chemicals. (40 CFR 732)* | | |
| 1. Drugs. | | |
| 2. Laboratory chemicals. | | |
| 3. Other organic compounds | | |
| 4. Other inorganic compounds | | |
| 5. Lead, mercury, zinc and other heavy metals (e.g., lead-based paint on housing structures built before 1978). | | |
| 6. Microbiologicals used as fungicides, herbicides, insecticides, sterilants, etc | | |
| 7. Indoor Radon gas | | |
| 8. Other | | |

Note: The Emergency Planning and Right-to-Know Act (Section 313) requires all covered facilities in Standard Industrial Code (SIC) 20-39 with 10 or more employees who exceed the threshold of some 650 chemicals to annually file a Form R report. The threshold quantities are 25,000 pounds for manufacturing or processing and 10,000 pounds for otherwise-used for some 650 chemicals on the Toxic Release Inventory (TRI). The TRI information is available to the public so they can determine what chemicals are present in their community. **N/A**

2. Please give for each chemical/biological agent, quantities used per year, and whether or not one time or repeated usage. **N/A**

3. Are the industries following the Occupational Health & Safety Worker Protection Guidelines using Safety Data Sheets?

A. Yes ____ B. No **X, the tribal and casino maintenance do not follow**

safety guidelines.

4. Are PCBs in transformers and electric equipment within the permitted 55 p.p.m. limits?
A. Yes X B. No _____ C. Unknown _____
5. Are there chemicals or biological manufacturing facilities within close proximity to the reservation?
A. Yes _____ B. No X C. Unknown _____
-- If yes, do you know of any recent violations by other companies of regulatory requirements? **N/A**
6. List (on separate sheet) reported incidents with toxic substances during the last three years. **N/A**
7. If there were accidents, please describe (on separate sheet) response action taken and by whom. **N/A**

ENVIRONMENTAL INVENTORY (Part VII, Drinking Water and Water Quality)

VII. DRINKING WATER SYSTEMS

Definitions

Community Water System - A community water system means any public water system which regularly serves at least 25 year round residents, or serves at least 15 service connections used by year round residents

Individual Water system - A water system which serves a single home (such as an individual well)

Communal Water system - A water system which serves more than one home, but less than 15 service connections or less than 25 year round residents.

Surface Source - Rivers, streams, lakes, springs under the influence of surface water

Groundwater Source - Wells, springs which are not under the influence of surface water

Acre-Foot - Once Acre-foot of water is equivalent to 326,000 Gallons of water.

Note that the questions are in five parts. The first set of questions pertains to Community (Public) Water Systems, the second part pertains to Individual and Communal Wells and the third part deals with all other wells. The fourth and fifth parts are about Drinking Water Standards Violations and Tribal Drinking Water Concerns

A. Community (Public) Water Systems- serving primarily Tribal population

1 How many community drinking water supply systems (i.e. systems which serve 15 or more service connections, or 25 or more year round residents), which serve primarily Tribal populations, are located on the reservation? **None. We have one individual tribal home on the water system, it shares the water system used by the casino. We will be adding on two tribal homes in 2014-15 to the system.**

2. What is the (approximate) total population served by these Tribal public water systems? (If a list of all community systems with populations or service connections served is available, please provide).

Total population served by PWS/Es 4 

3. Does the Tribe or a Tribal Utility own and operate the community water systems? YX N_____.

4. What is the source water of these community drinking water supply systems? (please indicate percentage of total drinking water sources) 1) Surface water _____% 2) Groundwater 100%

5. How frequently is the water tested for the following parameters?

| Parameter | Never | Monthly | Quarterly | Annually |
|----------------------------|-------|---------|-----------|----------|
| Bacteriological Quality | | | X | |
| Inorganics | | | X | |
| Nitrate/nitrite | | | X | |
| Volatile Organic Compounds | | | X | |
| Radionuclides | X | | | |
| Pesticides | | | X | |

6. Who is responsible for testing the water for The Tribe (Tribal Utility, Tribal Health Clinic, other) If not all testing is taking place, please describe why (cost, difficulty, lack of information of the testing requirements, etc. . Agreement with Modoc County

7. How many of the community water supply systems are treated in any way to improve the water quality, provide disinfection, etc. (i.e. filtered, disinfected, other treatment)? Number of systems with any treatment 1 Number of systems without any treatment _____.

8. Describe the processes used for treating water for human consumption for the community public water systems. Chlorinator

9. Who (Tribal Utility or other entity, IHS, etc.) is responsible for the following

a) drinking water treatment system operation and maintenance

Tribal maintenance and casino maintenance

b) Distribution system maintenance

Tribal maintenance and casino maintenance

c) Design and installation of new or upgraded water facilities

N/A

d) Testing the water for required contaminants

Tribal maintenance and casino maintenance.


10. Does water quality generally meet national primary standards? Y **X** N___ Don't know___ ; secondary standards? Y **X** N___ Don't know_____

11. Are there other problems with any of the public water systems? (For example - bad tasting water, odors, inadequate pressure, not enough water, old water lines, old storage tanks, etc.)

Bad taste, bad odor and low pressure.

12. Does the IHS help the Tribe to provide safe water and to meet the drinking water Standards? Please explain **No**

13.. Does the EPA help the Tribe to provide safe water and meet the standards? Please explain: **Yes, we send in quarterly reports to Region 9 EPA.**

14. . Are there problems with any of the sources for the water supplies either surface sources or groundwater sources) - i.e. do they appear to be they threatened by any sort of contamination sources, such as sewage sources (septics, lagoons), industrial facilities (factories, gas stations, other), agricultural facilities (fields with pesticides, animal waste), etc. Please describe in detail (use extra paper if necessary). **Not at this time, however, with the expansion of commercial enterprises and additional tribal homes, the leech fields could cause contamination.** 

15. Is there a problem with unused, abandoned old wells on the reservation which may be acting as a conduit for contamination into the groundwater, and which have not been properly plugged and destroyed? Y X N _____

If yes, please estimate the number 3 and describe the type (old public water supply wells, old BIA wells, individual wells, agricultural wells, others) of unused but not properly destroyed wells. Is the Tribe interested in taking action to properly close (plug and seal) old abandoned wells? Yes, we would like to make sure the 3 old wells are properly plugged and seal.

16. Has the Tribe adopted any Tribal codes, ordinances, or regulations related to drinking water quality, well construction, or other areas related to drinking water systems and source water protection? Y___ N X If yes, please provide citation and a copy.

17. Is the Tribe receiving, or has it received in the past, any EPA grants to implement reservation-wide regulations to protect the sources of drinking water supply, establish well-head protection, or source water assessment and protection? Y___ N X If yes which grant and who is the EPA Project Officer?

18. Is the Tribe receiving, or has it received in the past, any EPA grants for Public water supply training Y___ N X. If yes, which grant and what training has been or will be attended.

2. Individual and Communal Water Supply Systems

1. How many homes on the reservation are served by either individual wells, or by communal systems (systems serving more than one home, but less than 15 connections or less than 25 persons)? 1

2. What is the total number of people on the reservation who are served by individual wells, or communal water systems, for drinking water? Number of people 4; two more homes will be added in 2014-15

3. How frequently does monitoring occur for the individual family

| | Annual | Quarterly | Monthly | Never |
|----------------------------|--------|-----------|---------|-------|
| Bacteriological Quality | | X | | |
| Inorganics (metals) | | X | | |
| Nitrates/Nitrites | | X | | |
| Volatile Organic Compounds | | X | | |
| Pesticides | | X | | |
| Radionuclides | | | | X |

3. Other water systems

1. Please list any other water systems on the reservation, which do not primarily serve a Tribal populations those listed below if none check here. _____ None

| Type of facility | How Many | Number of People Served |
|--|----------|-------------------------|
| Trailer Parks (Tribally owned /operated) | | |
| Hospitals, clinics, etc. | | |
| Factories | | |
| Businesses (Stores, casinos, etc.) | 1 casino | Daily about 200 people |
| Schools | | |
| Others (describe) | | |
| | | |
| | | |
| | | |

4. Drinking Water Standard Violations

1. Have there been any drinking water standard violations of the reservation's drinking water in the past five years? Yes _____ No X
2. If yes, please describe below, including what the violation was, when it occurred and whether it occurred in a drinking water system served by surface or groundwater. N/A
3. Have there been any water borne diseases or outbreaks?
Yes _____ No X

5. Tribal Drinking Water Issues/Concerns

1. Use this space to describe any unmet needs, issues or specific concerns which the Tribe has regarding the state of drinking water supply on the reservation. Include any water quality, water quantity, source water, water treatment. Discuss any regulatory or operational issues. Use additional paper if needed.

The water quality is poor with bad odor and taste. This means that heavy usage of bottled water (containers impact environment). It is very unpleasant for the casino patrons and tribal member homes. This has slowed the addition of the two new homes, water treatment for the taste and odor and an assessment of waste water treatment is needed.

- 2 Describe any needed capital improvements (i.e need for new components of the water system, such as wells, pipelines, storage tanks, treatment systems, etc.). List the top 5 priorities for the Tribe.

1. Treatment system
2. Storage tank
3. Pressure
4. New pipelines

3. Discuss any needs the Tribe perceives in the following areas: **We have no experience in water system design and limited training in operator training and system maintenance or management. We need some sort of assessment done before future growth.**

ENVIRONMENTAL INVENTORY
(Part VIII, Water Quality Standards)

VIII. WATER QUALITY STANDARDS

1. Are there Tribal water quality standards for on-reservation streams, rivers and lakes? Yes _____ No X

2. Have there been any violations of these standards?
 Yes _____ No _____

3. If yes, for what parameter(s) (temperature, dissolved oxygen, pH, etc.)? N/A

4. Please provide information on the amount of water used, if known. If water use is not consumptive, put "N/A" (not applicable). Unknown in all categories.

| Purpose | Average annual consumption (in acre feet) | | Annual Consumption | |
|----------------------------------|--|-------------|--------------------|-------------|
| | Surface Water | Groundwater | Surface Water | Groundwater |
| 1) Domestic | | | | % |
| 2) Municipal | | | | % |
| 3) Irrigation | | | | % |
| 4) Industrial | | | | % |
| 5) Minerals development | | | | % |
| 6) Recreation | | | | % |
| 7) Fish Hatcheries/ Aqua culture | | | | % |
| 8) Water mills | | | | % |
| 9) Cultural/ spiritual | | | | % |

5. Total Annual Water Consumption **Unknown**
 - A. Surface _____ per acre feet
 - B. Ground _____ per acre feet

6. Water Pollution Grants: Provide a list (on separate sheet) of any grant or contract awarded during the last two fiscal years, specifying purpose, whether multi-year renewable and under which section of the Clean Water Act. **N/A**

7. Specify which water quality standards are applicable to reservation waters:
 - A. Tribal _____
 - B. Federal **Federal Water Quality Standards**
 - C. State _____
(Provide a copy)
 - D. Other (if any) _____

8. Monitoring water quality: Who monitors --
 - A. Surface waters in common with neighboring jurisdictions? **Modoc County Department of Agricultural; National Wildlife Refuge**
 - B. Open surface waters/groundwater wells within the reservation boundaries? **Tribe with inspection agreement with Modoc County**
 - C. Groundwater wells within close proximity of the reservation? **Modoc County Department of Agricultural, Modoc County Department of Public Health**

9. Has USGS been involved in monitoring surface or groundwaters? **Yes**

10. Oil/hazardous material spill prevention and control: are Tribe/Agency personnel participating in a local emergency oil spill cleanup cooperative? **No**

11. Has Tribe/Agency prepared a spill contingency plan? If so, are they participating in the State/Regional Response Team? Who funds this participation? **No**

12. Describe the roles of the EPA, IHS, HUD and the BIA in Water Pollution control. **None at this time.**

13. Describe the role of the USGS and other Interior Bureaus in providing technical assistance in the field of water pollution control. **None at this time.**

14. Describe the role of the Soil Conservation Service, local Soil and Water Conservation District and other Federal agencies in the protection of water quality on the reservation. **None at this time.**
15. Tribal Needs and Expectations: List areas of water pollution control needs for the Tribe and their expectations. **Concern about future contamination from septic systems and pollution from surrounding jurisdictions applications of pesticides.**
16. Are lakes/reservoirs suffering from: **N/A**
- A. Eutrophication* Yes _____ No _____
- B. Sedimentation Yes _____ No _____
17. Actual and potential sources of water pollution affecting the reservation include:

| Sources of Water Pollution | Actual | Potential |
|---|--------|-----------|
| 1) Sewage treatment plants | | |
| 2) Water treatment plants | | |
| 3) Oxidation ponds | | |
| 4) Municipal discharges | | |
| 5) Industrial discharges | | |
| 6) Domestic wastes (sewage) | | |
| 7) Oil spills | | |
| 8) Hazardous materials spills | | |
| 9) Landfill leachate | | |
| 10) Power generation | | |
| 11) Urban run-off (overland & storm sewer) | | |
| 12) Agricultural run-off (cropland run-off, animal waste, streambank erosion) | | X |
| 13) Sediment run-off (construction) | | |
| 14) Sediment run-off (mining) | | |
| 15) Sediment run-off (timber production & harvesting) | | |

| | | |
|--|--|---|
| 16) Pesticides/herbicides/nutrient run-off | | X |
| 17) Toxicant build-up (pesticide usage) | | |
| 18) On-lot disposal | | |
| 19) Road surfacing and asphaltting | | |
| 20) Building material and quarries | | |
| 21) Logging operations | | |
| 22) Other (please specify) | | |
| | | |
| | | |

18. State whether a permit was issued by EPA for any of the above, indicating discharge limitations, validity and reporting requirements. **No**

19. Answer the following questions:

- A. Identify wastewater discharges **4 septic systems with leachfields**
- B. Who operates/maintains discharges? **Tribal and casino maintenance**
- C. Any operating permit? **No**
- D. Specify treatment method:
Primary **Septic with leachfields**
- E. Is it under EPA/IHS or Tribal supervision? **Tribal**
- F. Any user fees imposed? **No**

ENVIRONMENTAL INVENTORY
(Part IX, Solid Waste Storage and Disposal)


IX. SOLID WASTE STORAGE AND DISPOSAL:

- 1 Does the Tribal Government have a written or an EPA approved plan for the proper for disposal of solid waste(s)? A. Yes _____ B. No X
2. Solid waste disposal (please check one):
- A. Is a major problem on the reservation _____
- B. Is not a problem on the reservation _____
- C. Is a growing problem on the reservation X
3. Characterize waste sites and material on the reservation:

| Type of Facility | Location | Operating or Abandoned? | Estimated Volume | Owner/ Operator |
|--|--------------|---------------------------|-------------------|-----------------|
| A) Community Dumpsite | On rancheria | Abandoned | Not sure, buried. | |
| B) Community Landfill * | | | | |
| C) Commercial Incineration | | | | |
| D) Community Open burning | On rancheria | Operating – slash burning | | |
| -- Individual (i.e. barrel burning) | | | | |
| E) Transfer Station | | | | |
| F) Other <u>Utilizing commercial landfill, no recycling</u> | | | | |
| | | | | |
| | | | | |

* Landfill means a site that is in compliance with 40 CFR Part 257 and 258. This site will generally be fenced, monitored and permitted.

4. Is the site on trust, fee, or allotted land? **Trust**


5. Are any solid waste problem areas near water ways, dry river beds, arroyos, or where the water table is high? If so which ones? **No**
6. Are the facilities owned and operated by the Tribe, BIA, a private company, or an individual? **Casino owned and operated by Tribe.**
7. Does the Tribal Government sponsor or participate in recycling activities for
- | | | | | |
|----|----------|---|-----------|--------------------|
| A. | Metals |  | Yes _____ | No <u>X</u> |
| | Aluminum | | Yes _____ | No <u>X</u> |
| | Steel | | Yes _____ | No <u>X</u> |
| | Copper | | Yes _____ | No <u>X</u> |
| B. | Paper | | Yes _____ | No <u>X</u> |
| C. | Glass | | Yes _____ | No <u>X</u> |
| D. | Other | | Yes _____ | No <u>X</u> |
- 8.. With respect to solid/hazardous wastes, has the Tribe enacted an ordinance or code to regulate them on the reservation? **No**
9. Does the tribe/reservation have any commercial activities which contribute to the solid waste stream (e.g. casinos, stores, camp grounds). Please identify: **Casino, future RV campground, fuel station and Convenience store**
10. How close is the nearest permitted Municipal Solid Waste Landfill Facility? **15 miles**
11. Are there any other concerns with respect to solid waste that EPA should be aware of? **No recycling program is place, need to reduce carbon footprint.**

ENVIRONMENTAL INVENTORY
(Part X, Hazardous Waste Storage & Disposal)

X. HAZARDOUS WASTE STORAGE AND DISPOSAL:

1. Are hazardous wastes generated on the reservation?
 A. Yes _____ B. No X

If yes please specify the nature of the waste (e.g. agricultural, pesticides, cleaning solvents, degreasers) N/A

2. Does the Tribal Government have an EPA approved plan for proper handling, identification, and disposal of hazardous waste(s)?
 A. Yes  B. No N/A

3. How are the hazardous wastes disposed? N/A

4. Are hazardous wastes stored on tribal lands?
 A. Yes _____ B. No X

1. If yes, please specify the nature of the waste/type and condition of the storage area N/A

6. How long (in years) has the hazardous waste(s) been stored on the reservation? N/A

7. Was the hazardous waste stored in accordance with applicable Tribal and Federal law?
N/A A. Yes _____ B. No _____

8. Are there any abandoned hazardous waste sites on the reservation?
 A. Yes X B. No _____

9. If yes, please identify the site(s): N/A

10. Please include information on the storage of pesticides and the disposal of pesticide canisters and attach any additional relevant information. Kept in storage shed, empty canisters are disposed in commercial refuse bin.

11. Give the following information on existing above ground storage tanks (AST) in operation within reservation boundaries: (Note: EPA does not regulate farm or residential tanks of 1,100 gallons or less or heating fuel tanks, so do not include this information. However the Tribe may wish to do their own INVENTORY and regulate those tanks.)

| Name/Location | Owner/ Operator | Leaser | Product | Operating? Yes / No | for non operating: closed properly? Yes /No |
|---------------|--------------------|--------|---------|------------------------|--|
| Tribal land | Tribe | | Fuel | No | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

12. Give the following information on existing underground storage tanks (UST) in operation within reservation boundaries: **None**
13. Has the owner/operator complied with the financial responsibility requirements of the EPA UST program? **N/A**
 A. Yes _____ B. No _____
14. Have any of the above referenced tanks been checked out for compliance and found to be leaking during the last three years? **OST has been empty and not used.**
 A. Yes _____ B. No _____
15. Has any operation permit been obtained/applied for by the gas station owner? **N/A**
 A. Yes _____ B. No _____
- Indicate the period of validity of each permit and conditions attached to the permit: **N/A**

Do the permits include construction of a monitoring well? **N/A**

16. Have the owners/operators of the UST facilities submitted EPA Tank Notification Form 7530-1 (Rev. 8-94) (see enclosed) to the Tribe and the U.S. EPA ? **N/A**
17. Do you have a database or INVENTORY of the USTs with owner/operator information, lease information (e.g. current lease, time period of lease, conditions of lease transfer and ownership and responsibility of the UST system) ? **N/A**
18. Do you inspect the underground storage tank facilities for compliance with the federal release detection regulations of 40 CFR Part 280 ? **N/A**
19. Are you aware of the December 22, 1998 deadline for upgrading USTs with spill, overfill, and corrosion protection as found in 40 CFR Part 280? **No**
20. Do you have any UST facilities or sites that have releases ? If so, what is their status, e.g. site investigations underway or completed, corrective action plans, closed, cleanup started or completed ? Are there any leaking underground storage tank sites where drinking water sources have been affected or are threatened to be affected ? **No**
21. Have you worked with your legal and realty departments to ensure language is incorporated into leases to minimize the tribe's liability for petroleum contamination caused at a leased site by the lessee's operation of underground storage tanks ? **N/A**

ENVIRONMENTAL INVENTORY

Part XI. Emergency Planning & Community Right-To-Know Act (EPCRA) a.k.a. SARA Title III (Sections 301-312 & 321-330)

A. Background

The Emergency Planning and Community Right to Know Act, known as Title III of the Superfund Amendments and Reauthorization ACT (SARA) requires that detailed information about the nature of hazardous substance in or near reservations be made available to the public and that comprehensive emergency plans be prepared to deal with chemical accidents. The law also provides stiff penalties for companies that do not comply, and it allows citizens to file lawsuits against companies and government and Tribal agencies to force them to obey the law. The emergency planning section of the law is designed to help your reservation prepare for and respond to emergencies involving hazardous substances. Every community in the United States, including Indian reservations, must be part of a comprehensive plan.

EPA published a rule-making in the Federal Register (July 26, 1990) designating Indian Tribes and their chief executive officers as the implementing authority for Title III on all Indian lands. EPA policy is to work with Tribes on a “governments to government” basis. Unless Tribal leaders choose another of their various options to comply with Title III, EPA will regard Federally recognized Tribal governments as a Tribal Emergency Response Commission, with the same responsibilities as States for carrying out provisions of the law.¹

Definitions

Tribal Emergency Response Commission (TERC) -the entity responsible for establishing emergency planning districts and appoint, supervise, and coordinate local emergency planning committees (LEPCs) The TERC is appointed by the Tribal Executive Authority (Tribal Council or Chairperson).

¹ "Title III on Indian Lands: A Guide to the Emergency Planning and Community Right to know Act,

Local Emergency Planning Committees (LEPC) the entity that is responsible for developing local emergency response plans and review and update them at least annually .

Chemical Emergency Notification Plan the priority and sequential listing of the names and telephone numbers of response entities to call in case of a chemical spill or incident. Including the designation of the tribal person responsible for making the notification calls to the response agencies.

Chemical Emergency Response Plan- A comprehensive Plan that should include the Chemical Emergency Notification Plan. It should also include but is not limited to an analysis of hazards on or near the reservation, on and off reservation response resources- both equipment and personnel emergency response procedures, outline evacuation plans, training program for emergency response personnel, and present methods and schedules for exercising emergency response plans.

B. Reservation Information

1. Number of hazardous materials entities: **None**

Facilities with Hazardous Materials: _____ with oil: _____

Pipelines with Natural Gas: _____ with oil _____

2. Transportation routes where hazardous materials are transported across or near reservation lands (attach map): **Not aware of any transported near tribal lands.**

| Transportation Route | Number | Names | Aprox. Miles |
|-----------------------------|---------------|--------------|---------------------|
| Railroad | | | |
| Federal Highways | | | |
| State Highways | | | |
| Local Roads | | | |

3. Total Population living on Tribal Lands: **4**

4. Peak Population on Tribal Lands: **15**

Frequency per Year: (e.g. daily , once a year) **3 or 4 times year**

5. Number of Health Care Facilities on Tribal Lands : **None**

6. List Names of Schools on Tribal Lands: **None**

7. Number of Accidental Chemical Releases Reported on Tribal Lands: **None**

Hazardous Material: _____

Oil & Gasoline Spills: _____

C. Program Status

The Emergency Planning and Community Right-To-Know Act (EPCRA) requires that the Tribal Chairperson or Tribal Council (the Tribal Executive Authority) appoint members to a Tribal Emergency Response Commission (TERC). The TERC has the responsibility of dividing the reservation into emergency planning districts and appointing a Local Emergency Planning Committee (LEPC) for each district. The TERC supervises and coordinates the activities of the LEPCs. The LEPCs have the responsibility for developing local Emergency Response Plans and updating them annually. LEPCs elect a LEPC chairperson and designate a LEPC Coordinator. Facilities on the reservation that are subject to EPCRA reporting send their reports to the TERCs and LEPCs. The public is entitled to see these reports and it is the responsibility of the LEPCs to provide them to the public, on request.

The Tribal Nation has five options for establishing a TERC. Until one of these options is selected and implemented, the Tribal Chairperson or Tribal Council (who ever is the Tribal Executive Authority) is considered the TERC by default.

Most Tribes have selected to have a TERC/LEPC as one entity which then would assume the functions of both a TERC and LEPC. In this case there would be only one district.

1. The option for establishing a TERC and LEPC has been selected. (Yes or no) **No**

2. The option selected is one of the following: **Tribe has not considered the issue.**

(Select one and circle)

a. TERC and separate LEPC or LEPCs.


b. TERC/LEPC as one entity.

c. Tribe enters into agreements with other governments(Tribal or State) or Tribal Coalition for participation as a TERC or LEPC.

Name of Tribal, State or Tribal Coalition and brief description of agreement:

d. An existing committee is designated to be a TERC or TERC/LEPC

Name of existing committee. _____

e. The Tribal Chairperson is selected to act as the TERC . **At this time the Tribe was unaware of this requirement.** 

3. Does the Tribe have a Chemical Emergency Notification Plan? **No**

4. Does the Tribe have a Tribal Chemical Emergency Response Plan? **No**

5. Type of Chemical Emergency Preparedness Exercises Conducted by the Tribe (give dates)

None: **X**

Tabletop: _____

Functional: _____

Full field: _____

With neighbouring jurisdiction _____

6. Tribal Response Resources:

Number of Tribal Environmental Staff: **1**

Number of Fire Depts: _____

Number of Paid Firefighters: _____ Volunteer Firefighters: _____

Number of Police Depts: _____ Number of Police Officers: _____

7. Type of Tribal Emergency Response Equipment: **None**

Fire: _____

Hazardous Material: _____

Emergency Medical: _____

8. Number of Trained Personnel **None**

Training
Hazardous Material Training :-
Awareness: _____

Number Trained

Operational: _____
 Technician: _____
 Incident Command System (ICS): _____
 EPCRA Program Implementation _____

D. Response Agreements

1. Does Tribe have written or verbal Memorandum of Understandings, Memorandum of Agreements or Mutual Aid Agreements with other Tribes or Local Jurisdictions for Emergency Response?

If "Yes",

Name of Tribe or Local Agency: **Modoc County Fire Department and Cal-Fire**

Type of Agreement: **Mutual Aid**

Verbal or written? **Written**

2. Name of other Source of Emergency Response (EPA or State Agency): **None**

Other Issues/Concerns or Additional Information:

G. Tribal Program Contact: Creig Marcus

ENVIRONMENTAL INVENTORY
(Part XII, Nuclear Waste/Radiation)

XII. NUCLEAR WASTE/RADIATION: This entire section is not applicable.

1. Are there uranium deposits on the reservation?
A. Yes _____ B. No X
2. If yes, is uranium mining presently underway?
A. Yes _____ B. No _____
3. Are there any abandoned or stand-by uranium mines on the reservation?
A. Yes _____ B. No X
4. If yes, please identify site(s): N/A
5. Are there uranium tailings present on reservation?
A. Yes _____ B. No X
6. If yes, please identify site(s): N/A
7. Are reclamation activities presently underway?
A. Yes _____ B. No X
8. If yes, please elaborate: N/A
9. Is there a uranium processing mill within 50 miles of the reservation?
A. Yes _____ B. No X
10. If yes, please identify site(s): N/A
11. Are there any other radioactive materials mined on the reservation other than uranium? A. Yes _____ B. No X
12. If yes, please identify the materials: N/A
13. Is there a nuclear power generation facility within 50 miles of the reservation?
A. Yes _____ B. No X
14. If yes, please identify site and its proximity to reservation in miles: N/A
15. Is nuclear waste stored within 50 miles of the reservation?
A. Yes _____ B. No X
16. If yes, please identify site and its proximity to reservation in miles: N/A
17. Has reservation been selected as a potential area for a permanent nuclear waste disposal site?
A. Yes _____ B. No N/A
18. Are nuclear materials transported through reservation?
A. Yes _____ B. No N/A

XIII. Please identify all species found on the reservation which have been designated as threatened or endangered. You may wish to list separately species of important cultural or spiritual significance. **None**

XIV. PLEASE IDENTIFY IN ORDER OF PRIORITY THE MOST PRESSING ENVIRONMENTAL PROBLEMS ON YOUR RESERVATION:

1. **Improved water quality**
2. **Waste water treatment**
3. **Reduction of solid waste produced by commercial ventures**
4. **Recycling and use of green technologies to reduce carbon footprint**
5. **Contamination and pollution caused by neighboring jurisdictions usage of pesticides**
6. **Over all the issues is the need for ordinances and codes to govern the environment**
7. _____
8. _____
9. _____
10. _____